

the reasons why the decision is erroneous. A statement of fact and argument in the form of a brief in support of the appeal may be submitted with the notice of appeal or, if the appellant prefers, may be filed with the Commission within fifteen (15) days after the filing of the notice of appeal. If a statement of fact and argument in the form of a brief in support of the appeal is not submitted with the notice, the appellant shall state in the notice whether such a statement of fact and argument in the form of a brief in support of the appeal will be filed.

#### **§ 81.52 Appeals Board.**

(a) *NRC Invention Licensing Appeal Board.* Upon notice of an appeal in accordance with § 81.51, the Executive Director for Operations of the Nuclear Regulatory Commission will designate within thirty (30) days an Invention Licensing Appeal Board (hereinafter, Board) to decide such an appeal.

(b) *Composition of the Board.* The Invention Licensing Appeal Board shall consist of three members having equal voting power, one of whom will be designated as Chairman.

(c) *Notice of designation of the Board.* The Executive Director for Operations of the Nuclear Regulatory Commission will advise the appellant of the designation of the Board, its composition, and Chairman.

[40 FR 8793, Mar. 3, 1975]

#### **§ 81.53 Review by the Board.**

(a) The Board shall determine the propriety of any decision concerning the grant, denial, interpretation, modification, or revocation of a license according to the policy and criteria of these regulations, including § 81.11, on the record and evidence submitted by an appellant and the Commission to the Board.

(b) A hearing may be requested by the Commission or an appellant within fifteen (15) days after the notice set forth under § 81.52(c). An appellant and the Commission shall be given a minimum of fifteen (15) days' notice of the time and place of a hearing. The Commission and the appellant shall have an opportunity to make oral arguments before the Board.

(c) The Board shall make findings of fact and reach a conclusion with respect to the propriety of the decision of the Commission, which conclusion shall constitute the final action of the Commission.

### **PART 95—FACILITY SECURITY CLEARANCE AND SAFEGUARDING OF NATIONAL SECURITY INFORMATION AND RESTRICTED DATA**

#### **GENERAL PROVISIONS**

##### **Sec.**

- 95.1 Purpose.
- 95.3 Scope.
- 95.5 Definitions.
- 95.7 Interpretations.
- 95.8 Information collection requirements: OMB approval.
- 95.9 Communications.
- 95.11 Specific exemptions.
- 95.13 Maintenance of records.

#### **PHYSICAL SECURITY**

- 95.15 Approval for processing licensees and others for facility clearance.
- 95.17 Processing facility clearance.
- 95.18 Key personnel.
- 95.19 Changes to security practices and procedures.
- 95.20 Grant, denial or termination of facility clearance.
- 95.21 Withdrawal of requests for facility security clearance.
- 95.23 Termination of facility clearance.
- 95.25 Protection of National Security Information and Restricted Data in storage.
- 95.27 Protection while in use.
- 95.29 Establishment of Restricted or Closed areas.
- 95.31 Protective personnel.
- 95.33 Security education.
- 95.34 Control of visitors.

#### **CONTROL OF INFORMATION**

- 95.35 Access to matter classified as National Security Information and Restricted Data.
- 95.36 Access by representatives of the International Atomic Energy Agency or by participants in other international agreements.
- 95.37 Classification and preparation of documents.
- 95.39 External transmission of documents and material.
- 95.41 External receipt and dispatch records.
- 95.43 Authority to reproduce.
- 95.45 Changes in classification.
- 95.47 Destruction of matter containing classified information.